

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

TRUSTEES OF THE SOUTHERN OHIO
PAINTERS HEALTH & WELFARE FUND,
et al.,

Plaintiffs,

- VS -

UCL, INC.,

Defendant.

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Case No. 1:20-cv-624

Judge Michael R. Barrett

DEFENDANT'S MOTION FOR LEAVE TO FILE ANSWER OUT OF TIME

Comes now Defendant, UCL, Inc., and respectfully requests that the Court grant it leave to file its Answer out of time. The grounds for this motion are set forth in the Memorandum below.

s/ Donald P. Morrisroe

DONALD P. MORRISROE (0006974)

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MEMORANDUM

Shortly after this lawsuit was filed, Plaintiffs and Defendant fully resolved all claims with respect to the 2018 plan year. Hence, Plaintiffs' remaining claims relate to the 2019 plan year,

- 2 -

and the audit for 2019 has not yet been completed. Defendant is hopeful that after the audit for the 2019 plan year has been completed, the parties will be able to amicably resolve that claim as well.

This motion is not being filed for purposes of delay, and there is a strong preference in the court system for lawsuits to be decided on their merits. A copy of Defendant's Answer is tendered herewith as Exhibit A for the Court's reference.

WHEREFORE, Defendant UCL, Inc. requests that the Court grant its motion and allow it to file its Answer out of time.

Respectfully submitted,

s/ Donald P. Morrisroe
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CERTIFICATE OF SERVICE

I hereby certify that on October 30, 2020, I electronically filed the foregoing with the Clerk of Court using the CM/ECF System, which will send notification of such filing to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system.

s/ Donald P. Morrisroe
DONALD P. MORRISROE (0006974)
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